

3738



Attorney Docket no: PHO-104

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Re Application of: )  
)  
Wachter et al. )  
)  
Serial No.: 09/096,832 )  
)  
Filed: June 12, 1998 )  
)  
For: Improved Methods And Apparatus )  
For Multi-Photon Photo-Activation )  
Of Therapeutic Agents )  
)  
Examiner: Thomas C. Barrett )  
)  
Art Unit: 3738 )

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Shannon Wallace

Date: December 29, 2005

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. §1.97, Applicant hereby call the Examiner's attention to documents listed on the attached form, which documents may be material to the examination of this application. In accordance with 37 CFR 1.98, a copy of each of the US patents is not enclosed.

Each of these references was cited in an Office Action dated December 13, 2005 in related application 09/571,099. It is believed that this is the first time these references become known to Applicants and those individuals designated in §1.56(c).

No inference should be drawn that any apparatus disclosed is equivalent to the subject invention.

The citation of the above-discussed documents is not to be construed as an assertion that more pertinent art could not possibly be in existence. Citation of any document herein is not

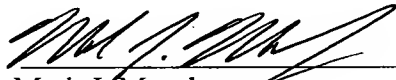
to be construed as an admission that any subject matter disclosed in the document is necessarily within the inventive field of endeavor, that any disclosure is necessarily prior in time to a particular date which may be relevant to the instant patent application, and/or that any disclosure is otherwise necessarily prior art with respect to the instant invention.

Applicant also respectfully reserves the right to later set forth how the instant invention is distinguished over the disclosure of any document or other art, including the disclosure of those documents discussed herein, that may be cited by the Examiner in rejecting a claim in the instant patent application.

Please charge our Deposit Account No. 50/1039 if any fee should be due for this IDS.

Respectfully submitted,

Date: December 28, 2005

  
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Approved for use through 07/31/2006. OMB 0651-0031

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**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

**(Use as many sheets as necessary)**

of 1

Application Number	09/096,832
Filing Date	June 12, 1998
First Named Inventor	Wachter et al.
Air Unit	3738
Examiner Name	Thomas C. Barrett
Attorney Docket Number	PHO-104

[illegible]

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>5</sup>
		Country Code <sup>3</sup> "Number" <sup>4</sup> "Kind Code" <sup>5</sup> (if known)				

Date  
Considered

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: **Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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